

REMARKS

The present invention is a system including a user operable portable radio communication device and a server, a user operable portable radio communication device, a computer program on a carrier for use in a user operable portable radio communication device, a system including a user operable portable radio communication device and an object device connected to a network, a user operable portable radio communication device and an object device.

Claims 7-10 stand rejected under 35 U.S.C. §102 as being anticipated by United States Patent 6,505,252 (Nagasaka). With respect to claims 7-10, the Examiner reasons as follows:

Regarding claims 7, 8 and 10, Nagasaka teaches a transmitter for transmitting an identity tag indicative of the identity of the mobile terminal (i.e., portable radio communication device) (col.10, lines 12-31).

Nagasaka further teaches that the computer system 100 (i.e., object device) comprising a receiver, and a processor (fig. 1; col.3, lines 51-56, 63-67, col.4, lines 1-14).

Nagasaka further teaches that the system in response to the receiver receiving an identity tag transmitted from a mobile terminal (i.e., portable radio communication device), the processor authorising the downloading of information via the network to a computer system 100 (i.e., remote server or terminal) in accordance with address information associated with the identity tag (fig.1, fig.2; col.3, lines 51-56, 63-67, col.4, lines 1-14, col.10, lines 12-52).

Regarding claim 9, Nagasaka teaches that the mobile terminal (i.e., portable radio communication device) is inherently a passive device (fig.2; col. 10, lines 12-52).

The grounds of rejection are traversed for the following reasons.

As the Examiner is aware, for an anticipation rejection to be appropriate, it is necessary that the alleged anticipating reference must be shown to literally or

inherently disclose each limitation of the claims. When this required showing of the teachings of Nagasaka is applied to the rejection of claims 7-10, the Examiner cannot demonstrate that Nagasaka teaches the limitations.

The Examiner erroneously concludes that with respect to claims 7, 8 and 10, that Nagasaka teaches a transmitter for transmitting an identity tag indicative of the identity of the mobile terminal. The Examiner cites column 10, lines 12-31, of Nagasaka. Nagasaka, including column 10, lines 12-31, does not disclose this subject matter.

Claim 7 recites: "a transmitter for transmitting an identity tag indicative of the identity of the portable radio communication device; ...in response to the receiver receiving an identity tag transmitted from the portable radio communication device, the processor authorizes the downloading of information via the network to a remote server or terminal in accordance with address information associated with the identifying tag; claim (8) recites "[a] user operable portable radio communication device comprising: a transmitter for transmitting an identity tag indicative of the identity of the portable radio communication device, a transmitted identity tag being receivable by a receiver of an object device and being operable to cause downloading of information from the object device via a network to a remote server or terminal in accordance with the address information associated with the identity tag" and claim 10 recites: "[a]n object device comprising a receiver and a processor, and being connectable to a network, the device being so arranged that in response to the receiver receiving an identity tag transmitted from a portable radio communication device, the processor authorizes the downloading of the information via the network to a remote server or terminal in accordance with address

information associated with the identity tag". The aforementioned identity tag is not taught in Nagasaka, including column 10, lines 12-31, or elsewhere therein.

Nagasaka et al discloses a mechanism for data transfer utilizing preview of data which is generated by an image data server 200. The preview data generated by the image data server 20 is transmitted from the image data server to a receiver which may be in the computer system 100 (see column 11, lines 31-51).

Column 10, lines 12-31, which the Examiner alleges teach transmitting and identity tag indicative of the identity of the mobile device, would not be construed by a person of ordinary skill in the art to transmit an identity tag indicative of the identity of the portable radio communication device. If the Examiner persists in the stated grounds of rejection, it is requested that he specifically point out how he is construing column 10, lines 12-31, to meet the identity tag limitation.

Moreover, independent claims 7, 8 and 10 further recite additional activities which are dependent upon the identity tag. For example, claim 7 recites "in response to the receiver receiving an identity tag transmitted from the portable radio communication device, the processor authorizes the downloading of information by the network to a remote server or terminal in accordance with address information associated with the identity tag." The Examiner has not demonstrated where the mobile device 400 in association with information which identifies the portable radio communication device further authorizes the downloading of information in accordance with address associated with the identity tag as recited in claims 7, 8 and 10. Moreover, column 3, lines 51-56 and lines 63-67 and column 4, lines 1-14, do not describe this subject matter. If the Examiner persists in the stated grounds of rejection, it is requested that he point out what his construction is of Nagasaka

regarding the identity tag being used in downloading of information in accordance with address information associated with the identity tag.

Claim 9 further limits claim 8 in reciting that the portable communication device is a passive device. The Examiner asserts that the mobile terminal is inherently a passive device which finding is traversed. A person of ordinary skill in the art would not consider a mobile terminal to be a passive device in that it is electrically powered and originates and receives communications which is not a passive device function since it is powered by a battery.

Claims 1-3, 5 and 6 stand rejected under 35 U.S.C. §103 as being unpatentable over United States Patent 6,684,087 (Yu et al) in view of United States Patent 6,345,279 (Li et al). This ground of rejection is traversed for the following reasons.

The Examiner concludes the Yu et al teach a keypad which the Examiner has construed to be a sensor. It is submitted that a person of ordinary skill in the art would not consider a keypad to be an automatically operating sensor as recited in the claims. Specifically, Yu et al teach that images are transmitted to mobile devices by having images processed at a server and dividing them into subareas which are linked between the mobile device and the server by the user pressing keys of the mobile device. See the Abstract and further column 7, lines 1-67, through column 8, lines 1-31.

As is clear from the foregoing description, the keys are not sensors which provide for the automatic input of data and in fact, they are manual selectors used to create a link between the mobile devices and the server to download a portion of image data which has been processed by a server to reduce substantial bandwidth

requirements in the prior art where image data was transmitted to a mobile device without processing as described in Yu et al. Accordingly, it is submitted that the Examiner has erroneously construed Yu et al to teach a sensor which provides for the automatic input of data.

Claims 1, 2, and 6 further recite "...the controller being responsive to data input via said sensor to control the browser to download the content from the server associated with the input data" which has no counterpart in Yu et al.

Moreover, each of independent claims 1, 2 and 6 recites contextualization means which contextualizes downloaded content with personal information which is recited in independent claims 1, 2 and 6 as "information personal to a user". There is no counterpart of the providing of information personal to a user in Yu et al and further contextualization means which contextualizes the downloaded content with the personal information personal to the user. The Examiner has construed the account manager described in column 6, lines 12-23, as the inputting of personal information. However, Yu et al in column 6, lines 11-23, teach an account manager 312 and a server module 310 which manages through account interface 314 a plurality of user accounts for all the mobile devices served by a linked server. While such information is personal to a user, it does not meet the recited function of contextualizing the downloaded content with personal information. What is clear from the description of the account manager in column 6, lines 30, *et seq.* is that it is "responsible for creating a user account for a mobile device that anonymously communicates with linked server 114." However, there is no teaching as the Examiner acknowledges that the creating of the user account meets the contextualizing the downloaded content with the personal information which is the

recited function of the contextualization means. Account managing does not have anything to do with modifying the content which is downloaded with "personal information" as recited in independent claims 1, 2 and 6.

The Examiner has relied upon column 6, lines 3-7 and 42-48, of Li et al as teaching the contextualization means. However, what is described in column 6, is a profile 310 which characterizes the client device by listing the capabilities 320 and resources 330 of the device. The client profile is further taught to be used to select from among infopyramids 280 versions 374 that satisfy the particular client profile. The selected version represents, as described in column 6, lines 42-48, an adaptation of a document and does not represent "personal information" as recited in independent claims 1, 2, and 6. The selection merely results in modifying the performance of the client display and does not "contextualize the downloaded content with the "information personal to the user" as recited in the independent claims 1, 2, and 6."

Moreover, it is submitted that the proposed combination of references is based upon impermissible hindsight. It should be noted that while the teachings of Yu et al and Li et al generally pertain to the display of images on devices, there is no motivation demonstrated by the Examiner on the record why a person of ordinary skill in the art would be led to combine the teachings of Yu et al and Li et al to arrive at the claimed subject matter. Claims 3 and claim 5 further limit claim 2 in reciting respectively that the means for providing information personal to the user comprises a memory configured to store the personal information or input means for inputting personal information by the user which functions are not taught by the proposed combination of Yu et al and Li et al.

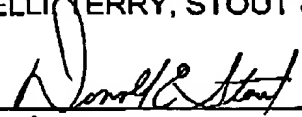
Claim 4 stands rejected under 35 U.S.C. §103 as being unpatentable over Yu et al in view of Li et al further in view of U.S. Published reference No. 2001/0055977 (Holzer). Holzer has been cited as teaching a browser downloading personal information from a personal server to a user as recited in paragraph [0057]. However, the personal information as described in paragraph [0057] is the identity of a vehicle which is further described in paragraph [0020]. It is submitted that the identification of the vehicle does not suggest to a person of ordinary skill in the art the subject matter of claim 4 which is that "the means for providing for information personal to the user comprises the browser downloading the personal information from the server personal to the user." The identification of a vehicle is not personal information since, as it is well known, any person can drive a vehicle without having to input personal information or have an identification provided to the vehicle.

In view of the foregoing amendments and remarks, it is submitted that each of the claims in the application is in condition for allowance. Accordingly, early allowance thereof is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (367.40417X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

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Attachments

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